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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,863	04/10/2001	G. Scott Mindrum	19054-1	7673

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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,863

Applicant(s)

MINDRUM, G. SCOTT

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-26 and 28-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-26 and 28-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has cancelled claim 27 and added claim 43 in the amendment filed on 8/2/2004.

Claims 21-26, 28-43 are pending in this Office Action.

Applicant's arguments with respect to claims 21-26, 28-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21, 23-26, 30-37, 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legacy. Com, 1999 (or hereinafter "Legacy" in view of Bunney et al (or hereinafter "Bunney") (USP 6003032).

As to claim 21, Legacy teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of deceased person" as a rectangular for a deceased person that include the name of deceased person. For example, the first rectangular includes name Frank Bartol who is deceased person (page 4);

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“an on-line registry service accessible over the Internet” as Legacy memorial submission forms indicates an on-line registry service accessible over the Internet (page 3, lines 16-27);

“the on-line registry service comprising one or more web pages having information related to the deceased person” as the Legacy service has one web page having information related to the deceased person (page 4).

Legacy does not explicitly teach the claimed limitation “an identifier on or near the concrete memorial for the deceased person, the identifier indicating to people visiting the concrete memorial that information related to the deceased person may be found on the on-line registry service”.

Bunney teaches the claimed limitations:

“an identifier associated with the tangible memorial for the deceased person” as an URL is associated with a web page that is associated with my Forums. Each Forum includes a plurality of article and respective bibliographic data, headlines that are generally less than 200 words and may also includes images. A registered user may add or edit a Forum through the archive page. Thus, the user may add any information related to the user or the deceased person and bibliographic data, article in my Forums that can contain information related to the user or the deceased person. In this case, my Forums can be the tangible memorial (figs. 7&8, col. 9, lines 1-65; col. 10, lines 55-57),

“the identifier indicating to people visiting the tangible memorial that information related to the deceased person may be found on the on-line registry service” as the URL <http://ola.ola.co.uk/cgi-bin> indicates to users visiting each

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Forum that contains information related to users such as bibliographic data, article may be found on the on-line register service. A user can be a deceased person (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bunney 's teaching to Legacy's system in order to allow users to visit a deceased person via Internet system and know history of deceased person quickly.

As to claim 30, Legacy teaches the claimed limitation "information on a plurality of deceased persons" as (page 4).

As to claim 31, Legacy teaches the claimed limitation "wherein the on-line registry service can be searched based on at least part of the discernable information" as (page 1).

As to claim 32, Legacy teaches the claimed limitation "wherein the on-line registry service is operative to allow visitors to provide information related to a deceased person available on the on-line registry service" as (pages 1-4).

As to claim 33, Legacy teaches the claimed limitation "wherein the subscription service is a subscription service" as (pages 1-2).

As to claim 34, Legacy teaches the claimed limitation “wherein the subscription service is a periodic fee-based subscription” as (page 3).

As to claim 23, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation “wherein the identifier is a string” as <http://ola.ola.co.uk/cgi-bin/webDriver?> (fig. 8).

As to claim 24, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation “wherein the identifier is a URL” as URL (col. 8, lines 40-41).

As to claim 25, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation “the identifier is a seal” as to access a web page, which includes a URL, the user has to logon the system by entering user’s password. It means that a URL is a seal until a user can login by a correct password (figs. 6-7).

As to claim 26, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation “the identifier is a mark” as a URL, which is a mark, is represented as the identifier (col. 7, lines 50-55).

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As to claim 35, Legacy teaches the claimed limitation "wherein the information on the one or more web pages comprises images and biographical data related to the deceased person" as (page 4).

As to claims 36, Legacy teaches a method for memorializing a deceased person, the deceased person having a physical memorial comprising at least the deceased person's name (pages 1-4);

"establishing a subscription for an on-line registry service with a subscriber, the subscription being associated with the deceased person" as Legacy memorial submission forms indicate an on-line registry service accessible over the Internet, a user can submit the form that associated with a deceased person (page 3, lines 16-27);

"providing by the subscriber information relating to the deceased person" as providing a web page contains names of deceased persons (page 4);

"storing the information relating to the deceased person on a computer system" as displaying or providing information such as names of the deceased persons after a user clicks on sample memorials. This information indicates that the system has stored the information relating to the deceased person of a computer system (page 4);

"providing to one or more visitors access over the Internet to the on-line registry service" as providing a user access over the Internet to the on-line registry service (page 3);

“retrieving the stored information relating to the deceased person” as (page 4);

” displaying to the visitor or the subscriber on one or more web pages at least a portion of the information relating to the deceased person” as (page 4). Legacy does not explicitly teach the claimed limitation “visually indicating, on or near the physical memorial for the deceased person, that the on-line registry service is associated with the deceased person”. Bunney teaches an URL is associated with a web page that is associated with my Forums. Each Forum includes a plurality of article and respective bibliographic data, headlines that are generally less than 200 words and may also includes images. A registered user may add or edit a Forum through the archive page. Thus, the user may add any information related such as bibliographic data, article to the user or the deceased person. In this case, my Forums can be the tangible memorial (figs. 7&8, col. 9, lines 1-65; col. 10, lines 55-57),

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bunney’s teaching to Legacy’s system in order to allow user to access the history of deceased person quickly via Internet system.

As to claim 37, Legacy teaches the claimed limitation “the step of submitting by visitors information relating to the deceased person to the on-line registry service” as (page 4).

As to claim 40, Legacy and Bunney disclose the claimed limitation subject matter in claim 37, Bunney further teaches the claimed limitation "positioning an identifier on or near the tangible memorial" as an URL is associated with each forum (col. 9, lines 40-45; fig. 8).

As to claim 41, Legacy and Bunney disclose the claimed limitation subject matter in claim 37, Bunney further teaches the claimed limitation "performed sequentially" as (figs. 6-8; col. 6, lines 20-30).

As to claim 42, Legacy and Bunney disclose the claimed limitation subject matter in claim 37, Bunney further teaches the claimed limitation "wherein the steps are performed sequential as listed" as (figs. 6-8, col. 6, lines 20-30).

4. Claims 22, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legacy. Com, 1999 (or hereinafter "Legacy" in view of Bunney and further in view of Manross, Jr (or hereinafter "Manross") (USP 6414663).

As to claims 22, Legacy and Bunney do not explicitly teach the claimed limitation "wherein the tangible memorial is a headstone". Manross teaches a headstone for John Kent. John Kent is a deceased person (fig. 2). It would have been obvious to a person of an ordinary skill in the art at the time the invention

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was made to apply Manross's teaching of a headstone for John Kent. John Kent is a deceased person to Legacy's system and Bunney's system in order to allow users to visit a deceased person via Internet system and know history of deceased person quickly.

As to claim 28, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation "wherein the tangible memorial is positioned in a cemetery". Manross teaches gravestone is positioned in a cemetery (fig. 2, col. 3, lines 15-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Manross's teaching of gravestone is positioned in a cemetery to allow users to visit the individual's life history or deceased persons easily.

As to claim 29, Legacy and Bunney discloses the claimed limitation subject matter in claim 21, Bunney further teaches the claimed limitation "being further adapted for use with deceased animals". However, Manross teaches a headstone for John Kent that is name of deceased person (fig. 2).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Manross's teaching of a headstone for John Kent. John Kent is a deceased person to Bunney's system in order to allow users to identify the deceased animals quickly via Internet system.

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5. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legacy. Com, 1999 (or hereinafter "Legacy" in view of Bunney and further in view of Bergh et al (or hereinafter "Bergh") (US 6112186).

As to claim 38, Legacy and Bunney disclose the claimed limitation subject matter in claim 37, except the claimed limitation "the step of collecting a subscription fee at least one time from the subscriber". Bergh teaches that paying on a periodic basis indicates collecting a subscription fee at least one time from the subscriber (col. 32, lines 62-67; col. 33, lines 10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bergh's teaching of paying on a periodic basis to Legacy's system and Bunney's system in order to save time for collecting a bill about registration for deceased persons from subscribers.

As to claim 39, Legacy and Bunney disclose the claimed limitation subject matter in claim 37, except the claimed limitation "wherein a fee is collected on a periodic basis" as (col. 2, lines 60-65). Bergh teaches that paying on a periodic basis indicates collecting a subscription fee at least one time from the subscriber (col. 32, lines 62-67; col. 33, lines 10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bergh's teaching of paying on a periodic basis to Legacy's system and Bunney's system in order to save time for collecting a bill about registration for deceased persons from subscribers.

6. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Legacy. Com, 1999 (or hereinafter "Legacy" in view of Bunney and Manross, Jr (or hereinafter "Manross") (USP 6414663).

As to claim 43, Legacy teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of the deceased person" as (pages 1-4);

"an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having images and biographical data related to a plurality of deceased persons" as (pages 3-4);

"said plurality of deceased persons including said deceased person, wherein the on-line register service can be searched based on at least part of the discernable information" as (pages 1-4).

Legacy does not explicitly teach the claimed limitations:

"wherein the concrete memorial is positioned in a cemetery; seal on or near the concrete memorial for said deceased person, the seal indicating to people visting the concrete memorial in the cemetery that information related to said deceased person many be found on the on-line registry service". Manross teaches gravestone is positioned in a cemetery (fig. 2, col. 3, lines 15-45).

Bunney teaches an URL <http://ola.ola.co.uk/cgi-bin> indicates to users visiting each Forum that contains information related to users such as bibliographic data,

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article may be found on the on-line register service. A user can be a deceased person (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Manross's teaching of gravestone is positioned in a cemetery and Bunney's teaching of an URL <http://ola.ola.co.uk/cgi-bin> indicates to users visiting each Forum that contains information related to users such as bibliographic data, article may be found on the on-line register service to allow users to visit the individual's life history or deceased persons easily.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Platner Michael (WO 200129736).


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Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cam-Y Truong
Patent Examiner
Art Unit 2162
3/3/2005